

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: By Chairman Diane Rice, on February 5, 2007 at 9:00 A.M., in Room 137 Capitol.

ROLL CALL

Members Present:

Rep. Diane Rice, Chairman (R)
Rep. Dave Gallik, Vice Chairman (D)
Rep. Ron Stoker, Vice Chairman (R)
Rep. Douglas Cordier (D)
Rep. Robyn Driscoll (D)
Rep. Bob Ebinger (D)
Rep. George Everett (R)
Rep. Julie French (D)
Rep. Rick Jore (C)
Rep. Krayton Kerns (R)
Rep. Roger Koopman (R)
Rep. Deborah Kottel (D)
Rep. Tom McGillvray (R)
Rep. Jesse O'Hara (R)
Rep. Ken Peterson (R)
Rep. Holly Raser (D)
Rep. John Ward (R)

Members Excused: None.

Members Absent: None.

Staff Present: David Niss, Legislative Branch
Pam Schindler, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 306, HB 422, HB 452, 1/31/2007
Executive Action: HB 292, HB 310

HEARING ON HB 422

Opening Statement by Sponsor:

00:01:12 Rep. Jill Cohenour (D), HD 78, opened the hearing on HB 422, Revise requirements for probationary driver's license or license reinstatement.

Proponents' Testimony:

00:02:27 Terry Steffins, Rocky Mountain Traffic School

[EXHIBIT\(juh25a01\)](#)

[EXHIBIT\(juh25a02\)](#)

[EXHIBIT\(juh25a03\)](#)

00:08:30 Tony Steffins, Rocky Mountain Traffic School

00:12:48 Del Lonnquist, Certified Motorcycle Safety Instructor

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:13:51 Rep. Peterson
00:14:24 Rep. Cohenour
00:15:32 Rep. Gallik
00:18:46 Rep. McGillvray
00:19:02 Mr. Steffins
00:20:12 Rep. Kottel
00:20:42 Mr. Steffins
00:22:24 Rep. Koopman
00:22:57 Ms. Steffins
00:26:54 Rep. Cohenour
00:29:03 Rep. French
00:30:10 Rep. Cohenour
00:30:21 Ms. Steffins
00:33:09 Rep. Rice
00:34:15 Mr. Steffins
00:34:39 Rep. Kottel
00:37:45 Rep. Peterson
00:38:29 Rep. Cohenour

Closing by Sponsor:

00:39:56 Rep. Cohenour

HEARING ON HB 452

Opening Statement by Sponsor:

00:42:05 Rep. Deborah Kottel (D), HD 20, opened the hearing on
HB 452, Achievement credit for parolees.

[EXHIBIT\(juh25a04\)](#)

[EXHIBIT\(juh25a05\)](#)

[EXHIBIT\(juh25a06\)](#)

[EXHIBIT\(juh25a07\)](#)

[EXHIBIT\(juh25a08\)](#)

[EXHIBIT\(juh25a09\)](#)

[EXHIBIT\(juh25a10\)](#)

Proponents' Testimony:

00:56:47 Steve Cape, student, College of Great Falls,
Director, Opening Doors

[EXHIBIT\(juh25a11\)](#)

01:05:46 James H. Gustafson, self, college student, Great Falls
Mental Health Services, Opening Doors

01:10:57 Jill Isakson, self, Job Service Workforce Center,
Opening Doors, St. Dismas

01:13:27 Jerry McKinney, College Professor, retired FBI agent

01:14:16 Ron Alsbury, Probation and Parole Chief, State of
Montana

01:16:51 Moe Wosepka, Executive Director, Montana Catholic
Conference

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:20:27 Rep. Koopman

01:22:12 Mr. Cape

01:24:24 Rep. Kottel

01:30:48 Rep. Everett

01:31:25 Mr. Alsbury

01:32:56 Rep. Peterson

01:34:35 Rep. Kottel

01:40:52 Mr. Alsbury

01:44:32 Rep. McGillvray

01:44:56 Rep. Kottel

Closing by Sponsor:

01:46:10 Rep. Kottel

[EXHIBIT\(juh25a12\)](#)

[EXHIBIT\(juh25a13\)](#)

[EXHIBIT\(juh25a14\)](#)

01:48:46 Break

01:59:52 Reconvene

HEARING ON HB 306

Opening Statement by Sponsor:

02:00:27 Rep. Rick Jore (C), HD 12, opened the hearing on HB 306, Prohibit State from ceding jurisdiction over certain non-tribally owned fee lands.

[EXHIBIT\(juh25a15\)](#)

Proponents' Testimony:

02:10:00 Del Palmer, Chairman of Board, All Citizens Equal

Opponents' Testimony:

02:13:23 Rep. Joey Jayne, HD 15

02:15:40 Sen. Frank Smith, SD 16, County Commissioners of SD 16

02:17:23 Bob Tailfeathers, Dean of Student Services, Blackfoot Community College

02:19:33 Harold Blattie, Executive Director, Montana Association of Counties

02:21:10 Bob Lane, Chief Legal Counsel, Department of Fish, Wildlife and Parks, State of Montana

Informational Testimony: None

Questions from Committee Members and Responses:

02:26:49 Rep. Cordier

02:27:19 Mr. Lane

02:29:28 Rep. McGillvray

02:29:41 Rep. Jore

02:32:27 Mr. Blattie

02:33:48 Rep. Koopman

02:34:47 Mr. Lane

02:41:43 Rep. Jore

02:45:22 Rep. Peterson

02:46:07 Mr. Blattie

02:47:21 Mr. Tailfeathers

02:47:46 Rep. Cordier
02:48:48 Mr. Tailfeathers
02:49:45 Rep. French
02:50:18 Sen. Smith
02:53:06 Rep. Kottel
02:53:31 Rep. Jore

Closing by Sponsor:

02:57:06 Rep. Jore

(Rep. Ward and O'Hara absent from the room.)

EXECUTIVE ACTION ON HB 292

03:04:36 **Motion/Vote:** Rep. Stoker moved that **HB 292 DO PASS**.
Motion carried unanimously by roll call vote. (Reps.
Ward and O'Hara voted by proxy vote.)

EXECUTIVE ACTION ON HB 310

03:06:43 **Motion:** **REP. STOKER** moved that **HB 310 DO PASS**.

Discussion:

03:07:23 David Niss, Legislative Staffer
03:09:37 Rep. Stoker
03:10:28 Rep. Gallik
03:11:53 Rep. Kottel
03:13:10 Mr. Niss
03:13:32 Rep. Peterson
03:14:54 Rep. Gallik
03:15:30 Rep. Rice

(Rep. O'Hara returns to the room.)

03:19:34 Rep. Cordier
03:19:57 Rep. Rice

03:20:12 **Motion:** Rep. McGillvray moved that **HB 310 BE AMENDED**
with a Conceptual Amendment for Page 2, Line 12;
insert "dated".

Discussion:

03:20:24 Rep. Peterson
03:21:02 Mr. Niss
03:21:46 Rep. Kottel

03:25:30 Rep. Rice

03:25:35 Rep. McGillvray withdrew amendment for HB 310
and requested HB 310 be postponed. Chairman Rice
granted that request.

ADJOURNMENT

Adjournment: 12:27 P.M.

REP. DIANE RICE, Chairman

PAM SCHINDLER, Secretary

DR/ps

Additional Exhibits:

EXHIBIT ([juh25aad.pdf](#))